IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

WP(C).No. 36765 of 2004(B)

PETITIONER:

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1. ALUMKADAVU DEVELOPMENT SOCIETY, REG.NO.Q-945/2003, ALUMKADAVU P.O. KARUNAGAPPALLY, REP. BY ITS SECRETARY.S. RAMANAN.

2. THE VYAPARI VYAVASAYI EAKOPANA SAMITHY, REG.NO.Q-52, ALUMKADAVU UNIT, KARUNAGAPPALLY, REP. BY ITS SECREARY M.NIZAR.

BY ADV. SRI.M.K.DAMODARAN
SRI.P.K.VIJAYAMOHANAN

RESPONDENTS:

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1. THE DISTRICT COLLECTOR, KOLLAM, CIVIL STATION, KOLLAM.

2. THE KARUNAGAPPALLY GRAMA PANCHAYATH, REP. BY ITS SECRETARY, KARUNAGAPPALLY, KOLLAM DISTRICT.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.GEORGE MATHEW
SRI.K.K.RAJEEV

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF REPRESENTATION SUBMITTED BY THE FIRST PETITIONER BEFORE THE FIRST RESPONDENT DT. 7.6.2004.

EXT.P2 : TRUE COPY OF THE COMMUNICATION NO.C8.04/L.DIS. DT. 5.7.2004 OF THE SECOND RESPONDENT.

EXT.P3 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE FIRST PETITIONER BEFORE THE 2ND RESPONDENT DT. 27.5.2004.

EXT.P4 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE MEMBERS OF THE 2ND PETITIONER SAMITHI BEFORE THE 2ND RESPONDENT.

TGS

KURIAN JOSEPH, J.

W.P.(C) No.36765 of 2004

Dated 30th March, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "Issue a writ of mandamus, order or appropriate direction, directing the respondents to ensure that no roadside vending of fish, vegetables and other articles are permitted on the sides of the Karunagappally-Alumkadavu public road leading to the Alumkadavu Tourism village.
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> (ii) To issue a writ of mandamus, order or direction, directing the second respondent to invoke the powers under Sections 224 and 225 of the Kerala Panchayat Raj Act, 1994 to remove and prohibit roadside vending within the limits of the Grama Panchayat causing obstruction to the free vehicular and pedestrial traffic."

There will be a direction to the second respondent to take appropriate action on Exts.P3 and P4, and the first respondent to take action in accordance with law on Ext.P1, within a period of three months from the date of production of a copy of the judgment by the petitioners.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 30th March, 2007.